

REMARKS**I. General**

This amendment accompanies an RCE filed in response to the Board's decision of September 17, 2004 affirming the Examiner's rejection of claims 1-21 as anticipated under 35 U.S.C. § 102(e) over U.S. Patent No. 6,125,401 issued to Huras et al. (hereafter "*Huras*"). In view of the amendments and remarks presented herein, Applicant respectfully submits that the now-pending claims are allowable over the applied art of record.

II. Amendments

Claims 1, 2, 6-9, and 15-21 are amended and new claims 22-31 are added by this amendment. No new matter is presented by these claim amendments and added claims.

III. Claims are not Anticipated by *Huras*

To anticipate a claim under 35 U.S.C. § 102, a single reference must teach every element of the claim, *see* M.P.E.P. § 2131. Applicant respectfully submits that *Huras* fails to teach all elements of the now-pending claims, and thus fails to anticipate those claims, as discussed further below.

1. Independent Claims 1, 15, 16, and 21

Claim 1, as amended herein, recites "establishing a network connection between a server and an external client, the network connection including a client-to-server channel and a server-to-client channel" (emphasis added).

Claim 15, as amended herein, recites "first means for maintaining a queue of connections based on connection requests, each connection communicatively coupling the server with an external client via a communication network, and each connection including a client-to-server channel and a server-to-client channel" (emphasis added).

Claim 16, as amended herein, recites "a server program encoded in the computer memory, the server program commanding the processing unit to (a) accept network connections for communicatively coupling the server with external clients via a

communication network, each connection having a client-to-server channel and a server-to-client channel” (emphasis added).

Claim 21, as amended herein, recites “instructions for commanding a processing unit of a server computer to maintain a queue of network connections with external clients based on connection requests” (emphasis added).

Huras fails to teach at least the above elements of claims 1, 15, 16, and 21. The client and server processes of *Huras* that were relied upon in the earlier rejections of claims 1, 14, 16, and 21 are processes located on a common computer. For instance, *Huras* provides in reference to FIGURE 1 that “Box 100 represents a single machine computer system”. Col. 4, lines 40-41. Thus, the client and server processes (e.g., client processes 140 and 150, and server processes 340 and 350) are executing on a common machine. Accordingly, the clients are not external to the server in the manner recited by claims 1, 15, 16, and 21 above. While machine 100 may be a server for external client computers 141 and 151, *Huras* does not teach handling the connections between such “server” 100 and external client computers 141 and 151 in the manner recited by claims 1, 15, 16, and 21.

Thus, claims 1, 15, 16, and 21 are not anticipated by *Huras* at least for the above reasons.

2. Independent Claim 8

Claim 8, as amended herein, recites “a network interface card for communicatively coupling with a client via a communication network”. *Huras* fails to teach at least this element of claim 8. That is, the relied upon client and server processes of *Huras* are not communicatively coupled via a communication network, but are instead processes executing locally on a common machine. Thus, the server of *Huras* does not include a network interface card for communicatively coupling the client and server processes (e.g., client processes 140 and 150, and server processes 340 and 350). Again, while machine 100 may be a server for external client computers 141 and 151, *Huras* does not teach handling the connections between such “server” 100 and external client computers 141 and 151 in the manner recited by claim 8. Rather, *Huras* is directed to local processes executing on machine 100.

Thus, claim 8 is not anticipated by *Huras* at least for the above reasons.

3. Dependent Claims

Each of dependent claims 2-7, 9-14, 17-20, and 22-31 depend either directly or indirectly from one of independent claims 1, 8, 16, and 21, and thus inherit all limitations of the respective independent claim from which they depend. It is respectfully submitted that dependent claims 2-7, 9-14, 17-20, and 22-31 are allowable not only because of their dependency from their respective independent claims for the reasons discussed above, but also in view of their novel claim features (which both narrow the scope of the particular claims and compel a broader interpretation of the respective base claim from which they depend).

IV. Conclusion

In view of the above, Applicant believes the pending application is in condition for allowance.

The fees due for this response are identified in the accompanying transmittal. Please charge the identified fees, as well as any additional fees that are due, to Deposit Account No. 08-2025, under Order No. 10982056-1 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Label No. EV 482740355US in an envelope addressed to: M/S RCE, Commissioner for Patents, Alexandria, VA 22313.

Date of Deposit: November 17, 2004

Typed Name: Gail L. Miller

Signature: Gail L. Miller

Respectfully submitted,

By: Jody C. Bishop
Jody C. Bishop
Attorney/Agent for Applicant(s)
Reg. No. 44,034
Date: November 17, 2004
Telephone No. (214) 855-8007